

EXHIBIT A



Madlyn Gleich Primoff
212 836-7042
mprimoff@kayescholer.com

250 West 55th Street
New York, New York 10019-9710
+1 212 836 8000 main
+1 212 836 6495 fax
www.kavescholer.com

April 3, 2015

BY E-MAIL

Denise Alvarez, Esq.
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153

Re: *In re Lehman Brothers Holdings Inc.*
Case No. 08-13555 (SCC)
Claim No. 67707 Filed By Spanish Broadcasting System, Inc.

Dear Ms. Alvarez:

This letter responds to your letter of March 13, 2015 (the “March 13 Letter”) regarding the outstanding discovery items in this claim litigation dispute, and addresses certain other issues concerning document production in this matter, as set forth more fully below. As with my letter of March 5, 2015 (the “March 5 Letter”), this letter does not rehash all of the discovery issues addressed in previous correspondence, but only the outstanding items.

Lehman Request No. 19

The March 13 Letter misstates Spanish Broadcasting’s position regarding its claim and its theories of damages. Lehman has long been aware that Spanish Broadcasting intends to pursue total invested capital damages (“TIC Damages”) as set forth in its claim and those damages set forth in its response, dated December 8, 2014, to Lehman Interrogatory No. 13 (*i.e.*, impacted EBITDA damages, swap damages and damages for fees paid).

In the March 5 Letter, Spanish Broadcasting confirmed that it does not intend to rely on the statement in the Declaration of Joseph A. Garcia filed on January 29, 2013 that Lehman’s failure to fund caused Spanish Broadcasting to “suffer a diminution in the market value of Spanish Broadcasting’s [Total Invested Capital].” Rather, as we have repeatedly informed you in writing and orally during the meet and confers in this claim litigation dispute, Spanish Broadcasting will rely on expert discovery in support of its claim for TIC Damages.

Spanish Broadcasting does not agree to forgo TIC Damages. In the interests of resolving the document production issue consensually, Spanish Broadcasting agrees to produce non-privileged documents “concerning Spanish Broadcasting’s contentions that LCPI’s failure to

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London	Palo Alto	West Palm Beach

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loan Spanish Broadcasting funds in response to the Draw Request (a) caused Spanish Broadcasting to ‘suffer a diminution in the market value of Spanish Broadcasting’s common equity, preferred equity, long-term debt, cash and minority interests (the ‘Total Invested Capital’).”

SBS Request No. 29

In the March 13 Letter, Lehman refuses to produce documents in response to SBS Request No. 29, and Lehman asserts that it “intends to rely exclusively upon expert testimony and/or information obtained in the marketplace” to support its contentions regarding the availability of a replacement swap. In the March 13 Letter, Lehman also asserts that if it decides to use “internal information” in support of its contention, then Lehman will produce such information to Spanish Broadcasting.

Lehman’s position with respect to SBS Request No. 29 is unacceptable. Spanish Broadcasting is entitled to discovery of the documents in Lehman’s possession, custody or control that are responsive to this Request, unless Lehman conclusively states that it will not raise arguments relating to the availability of a replacement swap. Accordingly, Lehman must either produce all non-privileged documents responsive to SBS Request No. 29 or else forgo its arguments regarding the availability of a replacement swap from and after September 30, 2008.

Furthermore, while the March 13 Letter contends that it would be burdensome for Lehman to produce documents in response to SBS Request No. 29, Lehman has done nothing to show that the Request is burdensome. At a minimum, Lehman must run a search of its own files for documents concerning replacement swaps, and provide to Spanish Broadcasting information regarding that search. Absent that information, Spanish Broadcasting is unable to evaluate the reasonableness of Lehman’s position that it would unduly burdensome to search for and produce documents in response to the Request.

Search Terms

Spanish Broadcasting is working with its outside vendor to search Spanish Broadcasting’s electronically stored information (“ESI”) based on the agreed upon custodians and search terms. The search of Spanish Broadcasting’s e-mail server alone -- without taking into account the additional documents on Spanish Broadcasting’s shared drive -- has returned an unreasonably large and thus unduly burdensome number of documents. We expect the vendor to complete the search of Spanish Broadcasting’s shared drive next week. Nonetheless, we did not want to delay our response to the March 13 Letter by waiting for that search to be completed. The following chart sets forth the enormous number of documents retrieved for certain search terms:

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<u>Search Term</u>	<u>Number of Documents Returned</u>
(MegaTV OR ""Mega TV"") AND (profit* OR perform* OR revenue* OR EBITDA OR earning*)	89,823
(SBS OR ""Spanish Broadcasting"" OR ""SBSA"") AND (salary OR salaries OR compensation OR bonus*)	144,517
(SBS OR ""Spanish Broadcasting"" OR ""SBSA"") AND lease*	56,223
(SBS OR ""Spanish Broadcasting"" OR ""SBSA"") AND (promotion* OR raise*)	178,124
(""rating***" OR "" downgrade"" OR ""Moody***" OR ""Standard & Poo***" OR ""Standard and Poo***") AND (" Spanish Broadcasting" OR ""SBS"" OR ""SBSA"")	105,524
(SBS OR ""Spanish Broadcasting"" OR ""SBSA"") AND (liquid* OR illiquid*)	40,360
(SBS OR ""Spanish Broadcasting"" OR ""SBSA"") AND budget*	86,561
((""earnings"" OR ""revenue"") w/25 (" Spanish Broadcasting" OR ""SBS"" OR ""SBSA"" OR ""the company""))	74,140
((""10-Q"" OR ""10Q"" OR ""10-k"" OR ""10k"" OR ""8-k"" OR ""8k"" OR ""SEC"" OR ""annual report"" OR ""quarterly report"") w/25 (" Spanish Broadcasting" OR ""SBS"" OR ""SBSA""))	25,170
(cause* OR ""damage***" OR ""impact***" OR ""effect***" OR ""suffer***" OR ""affect***") AND (draw OR Lehman OR LCPI OR LBSF OR LBHI)	23,898
((""earnings"" OR ""revenue"") w/25 (" Spanish Broadcasting" OR ""SBS"" OR ""SBSA""))	57,882
((""financ***" OR ""operat***" OR ""valu***" OR ""worth"" OR ""viability"" OR ""viable"" OR ""condition"" OR ""liquid***") w/25 (" Spanish Broadcasting" OR ""SBS"" OR ""SBSA""))	259,568
(cause* OR damage* OR impact* OR effect* OR suffer* OR affect*) AND ((Credit w/5 (Agreement* OR Facilit*)) OR (Lehman OR LCPI OR LBSF OR LBHI))	27,529

Spanish Broadcasting is willing to work with Lehman to refine the search terms so that Spanish Broadcasting's search for ESI is not unduly burdensome.

Claims Litigation Schedule

In light of the unduly burdensome nature of the agreed upon search terms, and the need for the parties to refine those search terms, it will be necessary for the parties to extend the deadlines set forth in the Second Amended Claims Litigation Schedule with Respect to Claim No. 67707 Filed By Spanish Broadcasting System, Inc. and the Objection Interposed By Lehman

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Brothers Holdings Inc. [Dkt No 48418]. Kindly call my colleague, Joe Otchin, or me to discuss an appropriate extension.

The parties have made substantial progress in narrowing the outstanding issues.¹ We look forward to hearing from you.

Sincerely,



Madlyn Gleich Primoff

cc: Ralph Miller, Esq. (via e-mail)
Jacqueline Marcus, Esq. (via e-mail)
Alexander Woolverton, Esq. (via e-mail)
Joseph Otchin, Esq.

¹ Spanish Broadcasting reserves (and does not waive) all of its rights in the claim litigation dispute including, without limitation, the right to raise additional issues as discovery progresses.